

The North Sterling Irrigation District

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December 29, 2008

To Whom It May Concern:

I recently reviewed the Reregistration Eligibility Decision Document for Acrolein EPA-HQ-OPP-2007-0588{Acrolein}, (RED) and had a few concerns on which I would like to comment. Before I comment I will give you a brief background on our irrigation district and how we use the acrolein-containing product. We are an irrigation district that delivers water to approximately 41,000 acres of farm ground. We use the product Magnacide H to suppress the growth of sago pondweed and algae in our main canal system. The use of this product allows the uninterrupted flow of water to our landowners' farms at critical times of crop development.

The concerns I have to the RED are found in Section IV, C, 1 and 2 found on pages 42 and 43. More specifically, on page 42 you have suggested the following mitigation for risks to workers:

- During application, two trained applicators must be on site at all times.

This presents an undue burden on irrigation districts of our size. We have 130 miles of canal and a 75,000 acre foot reservoir and we operate it as efficiently as possible - we employ a total of only 7 workers (5 of the workers work in the field). In order to apply Magnacide to our canal we must call our trained applicator from the work in which he is engaged to perform the application. If, in the future we are required to have two workers on site, that would be 40% of our field workforce to apply the product. We keep our applicator up to date on all the safety standards and techniques to minimize risk and ensure his safety. I feel requiring another employee to be present creates an undue burden and is unnecessary; and,

On page 43 the following application restrictions are to be added to acrolein product labels:

- Maximum of Eight (8) applications annually
- Minimum two (2) week re-treatment interval per application

Although we generally have less than 8 applications annually we have had the need to treat at an interval more frequent than two weeks. We operate in Northern Colorado where the growing season is shorter and cooler than some of our more southern counterparts. Without knowing the exact number of applications that they perform or their frequency I can speculate that their applications are much more numerous than ours. These additions would make it difficult for us to operate effectively and efficiently. When we apply our chemical we use the least amount possible both due to us being environmental stewards and because of cost. If, as users, we are limited to 8 applications and a two-week interval, this may be more of an ecological detriment than benefit, due to users applying on a maximum allowed basis rather than a minimum needed basis just to meet annual application

and frequency restrictions. If the product is applied in accordance with the label directions these additional restrictions are really, unnecessary.

I appreciate your thoughtfulness during the review of acrolein in this reregistration process and your concern for our workers and the environment. But I also hope that you will thoughtfully consider the comments I have made and adjust the Reregistration Eligibility Decision accordingly. If you have any questions for me, I can be contacted by phone, 970.522.2025, or by email, jim@northsterling.org. I appreciate your time and your attention to this matter.

Sincerely,

THE NORTH STERLING IRRIGATION DISTRICT

Jim Yahn

James T. Yahn, P.E.
Manager